

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1. to permit lot widths of 50 feet in lieu of the required 55 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. SPACE LIMITATIONS-100' PARCEL IS NOT ENEOUGH FOR TWO 55' LOTS
2. CONFORMITY WITH EXISTING LOTS IN COMMUNITY
3. NEED TO ESTABLISH TWO LOTS AS OPPOSED TO ONE FOR OBVIOUS COST REASONS
4. INTENTIONS OF ESTABLISHING ONE BUILDING LOT FOR EACH OF MY TWO PROPERTIES

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: JAMES F. QUINN, NORMAN J. QUINN
(Type or Print Name)
Signature: James F. Quinn
Address: 8508 KERN AVENUE
City and State: RO-EDALE MARYLAND 21237
Attorney for Petitioner: Josephine K. Fox
(Type or Print Name)
Signature: Josephine K. Fox
Address: Lillian A. Jordan
City and State: Lillian A. Jordan
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: JAMES F. QUINN
Address: 8508 KERN AVE Phone No. 574-1349

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of July, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 8th day of September, 1986, at 9:45 o'clock

Cell Jahn
Zoning Commissioner of Baltimore County.

(over)

DESCRIPTION FOR VARIANCE

Property of Ruth L. Krotee
14th Election District

Beginning at a point on the northwest side of Kern Avenue (30 feet wide) at a distance of 150 feet southwest of the centerline of Golden Ring Road and thence running North 44° 30' West, 150 feet, thence South 45° 30' West, 100 feet, thence South 44° 30' East, 150 feet to the northwest side of Kern Avenue, thence binding on the northwest side of Kern Avenue North 45° 30' East, 100 feet to the point of beginning.

The Protestants argued that most homes in the vicinity were constructed on lots which had been combined into 75-foot widths.

The Petitioner seeks relief from Section 1802.3.C.1, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

After due consideration of the testimony and evidence presented, it appears that there would be no practical difficulty or unreasonable hardship resulting to the Petitioner if the variances were denied.

There is no question that the subdivision was recorded prior to the implementation of zoning in Baltimore County. Upon adoption of the 1955 zoning regulations, the 55-foot building lot width was required, but it is obvious that homes in this subdivision were constructed on lots containing less than 55 feet prior to 1955. There was no testimony that any were constructed after that time. The picture is clouded by the frequent combination and division of lots into 75-foot widths. It is clear that the subject lots are owned by the same individual, that they have been for many years, and that it is proposed that each be sold as individual building lots.

The zoning regulations, however, permit a variance, pursuant to certain conditions as delineated in Section 307. To permit a variance to the "area" requirements of Section 1802.3.C.1, the variance must be judged under the "practical difficulty" or "unreasonable hardship" test, i.e., by looking at such factors as the nature of the zone in which the property lies and the character of the immediate vicinity and the uses contained therein, whether removal of the restriction placed upon the petitioner's property would seriously affect such neighboring properties and uses, or whether the restriction would create a practical difficulty or unreasonable hardship for the owner if it were not removed in relation to his efforts to make normal

- 2 -

improvements in the character of that use of the property, which is a permitted use under the use provisions of the regulation.

A landowner can establish a right to a variance by showing that the effect of the regulation is to burden his property with an unreasonable hardship that is unique to his property. This can be accomplished by showing that the physical or topographical features of the property are such that the property cannot be used for a permitted purpose or by showing that the property can be arranged for such use only at a prohibitive expense. Anderson v. Bd. of Appeals of Town of Chesapeake Beach, 22 Md. App. 28 (1974); Marlowe v. Zoning Hearing Bd. Haverford Township, 415 A.2d 946 (Pa. Cmwlth., 1980).

The Court of Special Appeals has held that a variance relating to certain "area" restrictions, as distinguished from restrictions on the use of the property, must be judged under the "practical difficulty" test. Anderson, supra. See Bd. of Adjustment, Etc. v. Kwik-Check Realty, 389 A.2d 1289 (Del. Supr., 1978). As noted in Anderson, the factors to be considered under this test in determining whether a variance should be granted are:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in district or whether a lesser relaxation than that applied for would give substantial relief;
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured,

Anderson, supra.

Notwithstanding the testimony presented, there is insufficient evidence to allow a finding that the hardship or difficulty experienced, or to be experienced, by the Petitioner was caused, will be caused, or will be created

- 3 -

by the zoning regulation from which it seeks relief by the instant zoning application. Therefore, the variances requested must be denied.

Although the Petitioner has shown the uses of adjacent and surrounding land similar to the requested use, the Petitioner has failed to show that without the requested variances, the property would be rendered practically valueless. Mere evidence that the zoned use is less financially rewarding than the proposed use is insufficient to justify a variance. Pyzdrowski v. Pittsburg Bd. of Adjustment, 263 A.2d 426 (Pa., 1970).

"Administrative relief is not warranted where the owner of contiguous substandard lots can solve his own problem by combining them to meet the minimum requirements of the zoning regulations. In such a case, his development plans may have to be revised, and he may not be able to extract the maximum profit from his tract, but he has not been denied reasonable use of his land."

3 Anderson, supra, Section 18.54, at 291. See Sibley v. Inhabitants of Town of Wells, 462 A.2d 27 (Me., 1983).

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of September, 1986, that the Petition for Zoning Variances to permit lot widths of 50 feet in lieu of the required 55 feet be and is hereby DENIED.

Cell Jahn
Zoning Commissioner of Baltimore County

- 4 -

PETITION FOR ZONING VARIANCE

14th Election District

Case No. 87-75-A

LOCATION: Northwest Side of Kern Avenue, 150 feet Southwest of the Centerline of Golden Ring Road

DATE AND TIME: Monday, September 8, 1986, at 9:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit lot widths of 50 feet in lieu of the required 55 feet

Being the property of Ruth L. Krotee, et al, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
21st day of July, 1986.

ARNOLD JABLON
Zoning Commissioner

Petitioner's Attorney: Ruth L. Krotee, et al.
Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

RE: PETITION FOR VARIANCE
NW/4 of Kern Ave., 150'
SW of C/L of Golden
Ring Rd., 14th District
Ruth L. Krotee, et al.,
Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the
above-captioned matter. Notices should be sent of any hearing dates or
other proceedings in this matter and of the passage of any preliminary
or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 8th day of August, 1986, a copy
of the foregoing Entry of Appearance was mailed to Josephine K. Fox,
Lillian A. Jordan & Henry G. Krotee, Jr., Guardians for Ruth E. Krotee,
Petitioner, c/o Mr. & Mrs. James F. Quinn, 8508 Kern Avenue, Rosedale, MD
21237, Contract Purchasers.

Peter Max Zimmerman
Peter Max Zimmerman

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14th
Posted for: Variance
Petitioner: Ruth L. Krotee, et al.
Location of property: NW/4 Kern Ave., 150' SW of Golden Ring Rd.
Location of Signs: Facing Kern Ave., corner 15' E. of 100' W. 223
Remarks: Sign posted at corner of Kern Ave. 100' W. 223
Posted by: [Signature]
Number of Signs: 1

TELEPHONE
(410) 852-4222

JEFFREY N. PRITZKER
ATTORNEY AT LAW

MARGOLIS PRITZKER
& EPSTEIN, P.A.
405 EAST JUPITER BLVD.
TOWSON, MARYLAND 21204



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

September 3, 1986

Mr. James F. Quinn
Mrs. Norma Jean Quinn
8508 Kern Avenue
Rosedale, Maryland 21237

RE: PETITION FOR ZONING VARIANCE
NW/4 of Kern Ave., 150' SW of the c/l of
Golden Ring Rd.
Ruth L. Krotee, et al - Petitioners
14th Election District
Case No. 87-75-A

Dear Mr. and Mrs. Quinn:

This is to advise you that \$58.65 is due for advertising
and posting of the above property. This fee must be paid before an
Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON
THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by
this office until the day of the hearing itself.

Please make this check payable to Baltimore County, Maryland, and remit
to the County, Maryland, and remit to the County, Maryland.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 9/3/86 ACCOUNT: 21204

AMOUNT: \$58.65

PAID TO: BALTIMORE COUNTY, MARYLAND

FOR: PETITION FOR ZONING VARIANCE

VALIDATION OR SIGNATURE OF CASHIER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. James F. Quinn
Mrs. Norma Jean Quinn
8508 Kern Avenue
Rosedale, Maryland 21237

July 25, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NW/4 of Kern Ave., 150' SW of the c/l of
Golden Ring Rd.
Ruth L. Krotee, et al - Petitioners
14th Election District
Case No. 87-75-A

TIME: 9:45 a.m.
DATE: Monday, September 8, 1986
PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

[Signature]
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 9/3/86 ACCOUNT: 21204

AMOUNT: \$58.65

PAID TO: BALTIMORE COUNTY, MARYLAND

FOR: PETITION FOR ZONING VARIANCE

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: August 21, 1986
Norman E. Gerber, AICP, Director
FROM: Director of Planning and Zoning
SUBJECT: Zoning Petitions No. 87-74-A, 87-75-A, 87-76-A, 87-77-A, 87-81-A,
87-82-A, 87-83-A, 87-84-A, 87-87-A, 87-88-A,
87-106-A, 87-107-A, 87-108-A, 87-111-A, 87-112-A,
87-113-A and 87-114-A

There are no comprehensive planning factors requiring comment on
these petitions.

Norman E. Gerber, AICP
Norman E. Gerber, AICP
Director

NEG:JGH:slm

Petition for Zoning Variance

14th Election District
Case No. 87-75-A
LOCATION: Northwest Side of
Kern Avenue, 150 feet Southwest of
the Centerline of Golden Ring Road.
DATE & TIME: Monday, Sep-
tember 8, 1986, at 9:45 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 West
Chesapeake Avenue, Towson,
Maryland.
The Zoning Commissioner of Bal-
timore County, by authority of the Zon-
ing Act and Regulations of Baltimore
County, will hold a public hearing
on the Petition for Zoning Variance to per-
mit lot widths of 50 feet in lieu of the
required 55 feet.
Being the property of Ruth L. Kro-
tee, et al., as shown on plat filed
with the Zoning Office.
In the event that this Petition is
granted, a building permit may be
issued within the thirty (30) day appeal
period. The Zoning Commissioner
will, however, entertain any request
for a stay of the issuance of said permit
during this period for good cause
shown. Such request must be received
in writing by the date of the hearing
set above or made at the hearing.
By Order of
Arnold Jablon
Zoning Commissioner
of Baltimore County

The Times

Middle River, Md., Aug 21 1986

This is to Certify, That the annexed

Petition for Zoning Variance

Reg. L. 92761

was inserted in the Times, a newspaper printed

and published in Baltimore County, once in each

of one successive

weeks before the 21st day of

August, 1986

Joe Brown Publisher

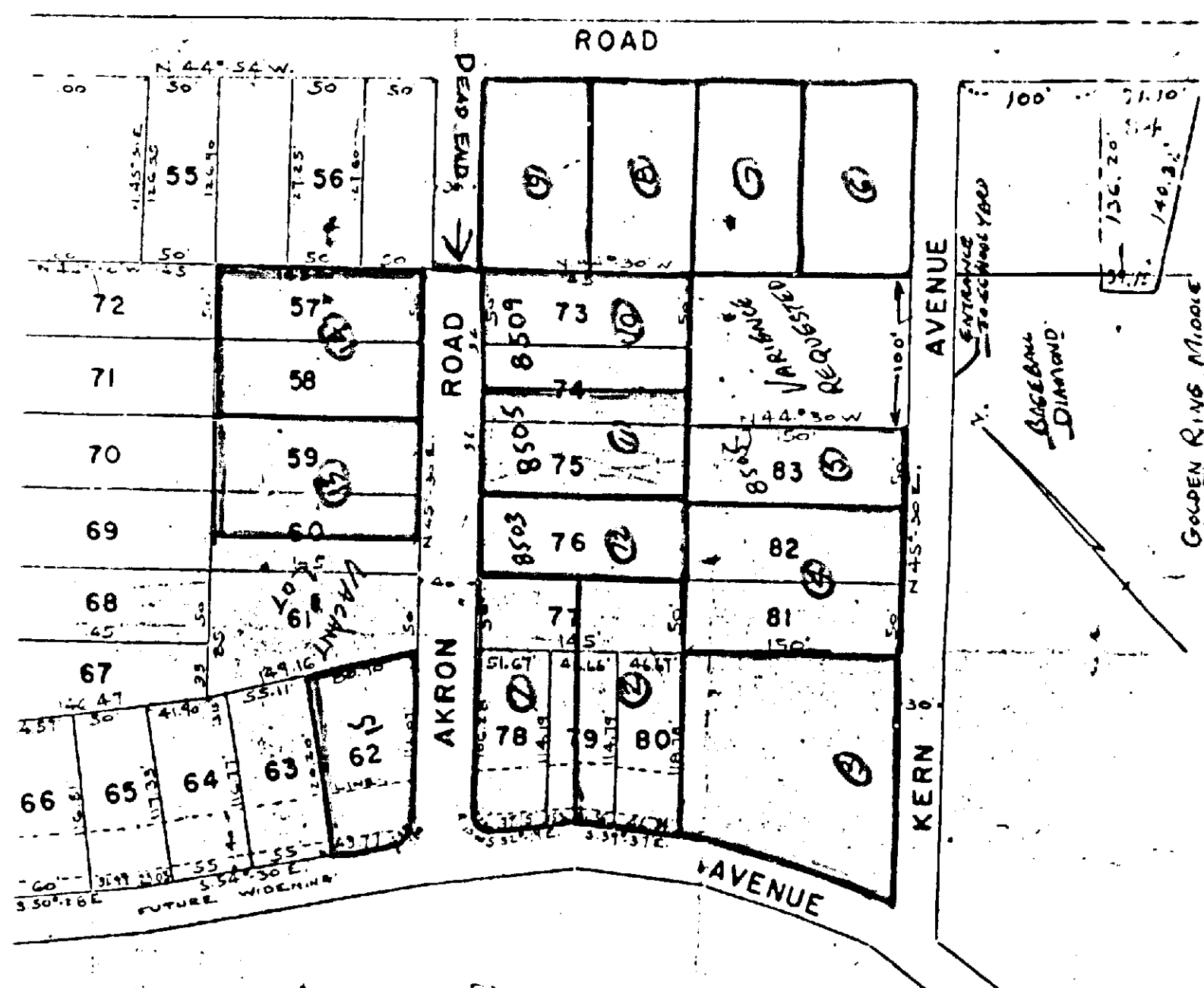
CERTIFICATE OF PUBLICATION

TOWSON, MD., August 21, 1986
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
August 21, 1986

THE JEFFERSONIAN,

[Signature]
Publisher
Cost of Advertising

22-00



KENRIDGE"
ST. BALTO. CO. MD.

MB - SALES AGENT
D. TOWSON, MD.

EXHIBIT A

EACH DOT WITH A
NUMBER REPRESENTS
ONE HOUSE

CPS-008

RECEIVED

August 22, 1986

Ralph W. Schissler
8505 Akron Road
Baltimore, Maryland 21137

Arnold Jablon
Zoning Commissioner
Room 1115, County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Ref: Case No. 87-75-A

Dear Commissioner:

Please give your immediate attention to Case No.
87-75-A. As concerned neighbors we feel the requested
variance will have an adverse effect on the neighborhood,
and have elaborated in the enclosed petition and diagram.
We would welcome you to visit the site if at all possible
as our objections are basic and obvious. Please help us
protect our homes by denying this variance.

Very truly yours,
Ralph W. Schissler
Ralph W. Schissler

PWS:ss
Enclosures

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 1, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cdo

Chairman

MEMBERS

Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

Mr. James F. Quinn
8505 Kern Avenue
Rosedale, Maryland 21237

RE: Item No. 478 - Case No. 87-75-A
Petitioner: Ruth L. Krotee, et al
Petition for Zoning Variance

Dear Mr. Quinn:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

July 22, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 476, 477, 478, 479, 480, 481, and 482.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSP:lt

BALTIMORE COUNTY
DEPARTMENT OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3610

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

August 19, 1986

Re: Zoning Advisory Meeting of July 8, 1986
Item # 478 RUTH E. KROTEE
Location: NW/S Kern Ave., 150'
SW of Golden Ring Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () Forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-53 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board.
- () Plans/notes: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by Bill 173-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- () If the property is located in a traffic area controlled by a "D" level intersection as defined by Bill 173-79, and its conditions change are annualized annually by the County Council.
- () Additional comments:

cc: James Howell

Eunice A. Tober
Chief, Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

July 30, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 478 Zoning Advisory Committee Meeting are as follows:

Property Owner: Ruth E. Krotee
Location: NW/S Kern Avenue, 150 feet SW of Golden Ring Road
District: 14th.

APPLICABLE ITEMS AND COMMENTS:

- (A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #11-85, the Maryland Code for the Handicapped and Aged (A.B.S.I. #11-1) - 1980 and other applicable Codes and Standards.
- (B) A building and other miscellaneous permits shall be required before the start of any construction.
- (C) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- E. All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. For Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1007, Section 1008.2 and Table 1008. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are locally required. The Change of Use Groups are from the _____ to the _____ or to Mixed Use. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 312 of the Building Code as adopted by Bill #11-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- J. Comments:

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Burman, Chief
Building Plans Section

LJZ/PRC

Exhibit 2 was revised 7/10/86 for purchase?
8/86 in 1982

Exhibit 3 was continued of said letter 1982
7/5/86

Let this exhibit back

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

July 17, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: Ruth E. Krotee
Location: NW/S Kern Ave., 150 ft. SW centerline Golden Ring Rd.
Item No.: 478 Zoning Agenda: Meeting of July 8, 1986

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Noted and Approved: [Signature]
Planning Group
Special Inspection Division
Fire Prevention Bureau

/mb

Dear Sir:

I have recently scheduled an appointment for the approval of a zoning variance in Baltimore County. I understand that once my paperwork has been approved, the date for a hearing can be set. The purpose of this letter is to ask for special consideration in assigning a hearing date for the property in question.

The owner of the property is an elderly woman currently residing in a very costly nursing home. Guardianship rights have been granted to her three children who will use the proceeds from the sale of this property to pay the monthly expenses of the nursing home. There are also additional medical expenses resulting from a recent operation which must be paid.

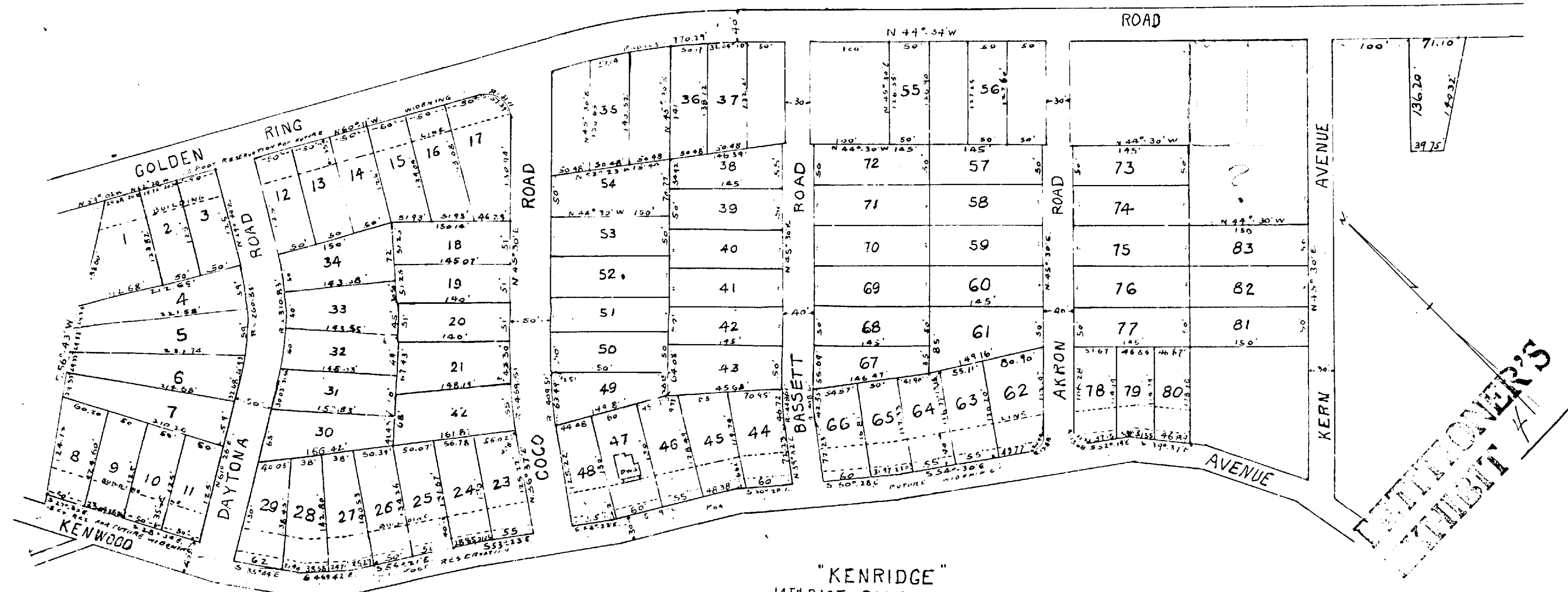
Won't you please consider scheduling a hearing for the aforementioned property as soon as possible in order to lessen the financial burden on this family.

Sincerely,
James F. Quinn
James F. Quinn

PETITION

We concerned neighbors request that the variance in case No. 87-75-A should be denied because it will have an adverse effect on our neighboring properties:

1. Of the existing houses in immediate area (Kern Ave., Akron Rd. and Golden Ring Road) only 3 of the 15 properties shown on Exhibit "A" are on 50 ft. lots. Two of the three are adjacent to vacant lots. None of the existing houses on the 50 ft. lots are adjacent to each other. To have three houses in a row on 50 ft. lots as the variance would allow would be very crowded and not consistent with the neighborhood.
2. The clay soil in this area does not readily absorb run-off rain water. Many of our homes suffer from damp basements. The addition of two houses would surely create excessive run-off.
3. Kern Ave. has no gutters or storm drains which is unique in the area and has contributed to the marginal drainage situation which exists now.
4. There is a storm drain between Akron Rd. and Basset Rd. to handle the run-off at the rear of the lots on those roads. There is no storm drain between the lots on Akron Rd. and Kern Ave.
5. Kern Ave. is a 30 ft. road with No Parking on the west side (the lot in this case is on the west side).

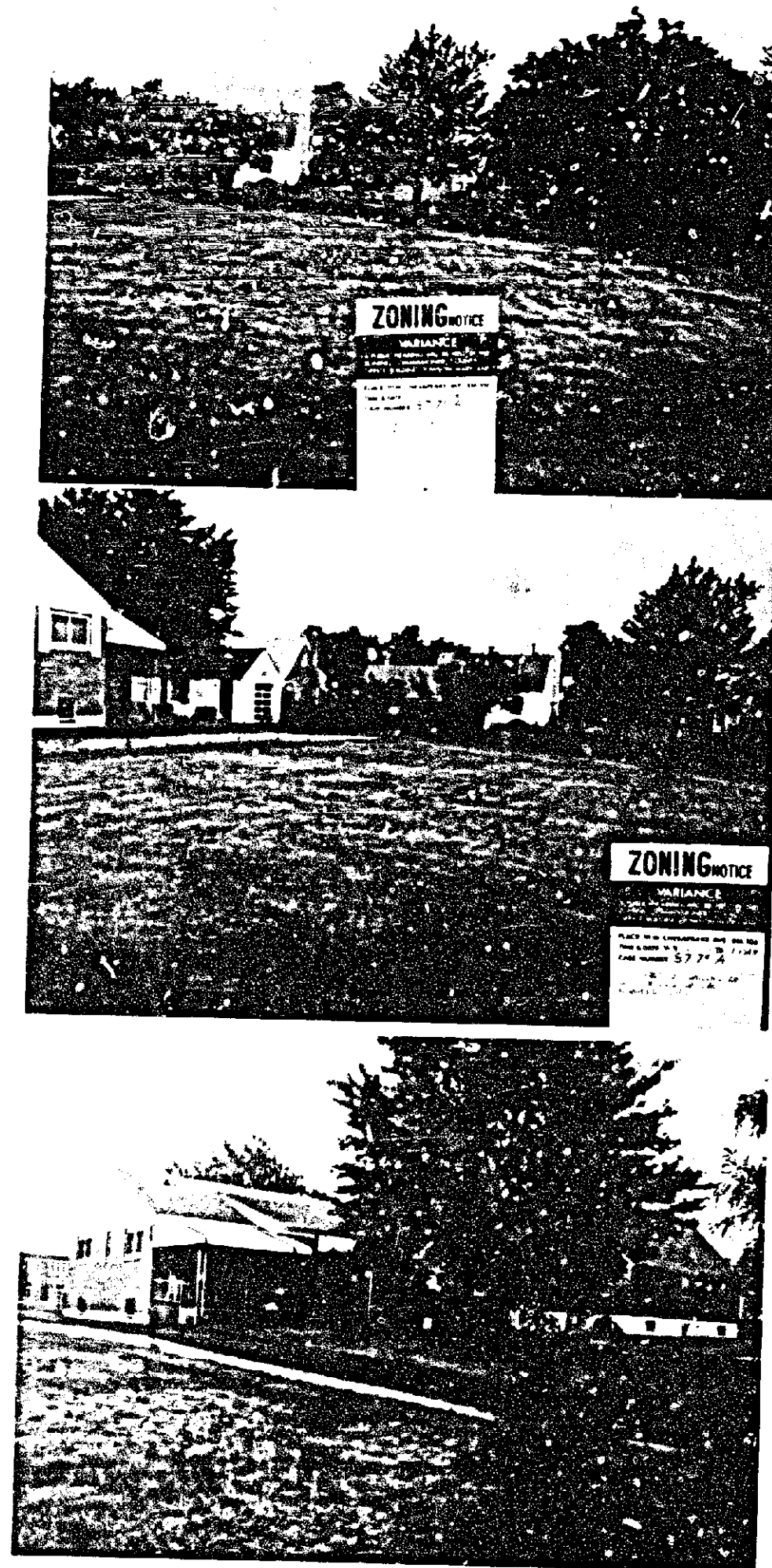


SCALE: 100 FEET TO ONE INCH
FRED H. DOLLENBERG & BRO.
SURVEYORS & CIVIL ENGINEERS
TOWSON, MD.-DUNCAN BLDG.-FEB. 8, 1941

PHILIP E. LAMB - SALES AGENT
7301 YORK RD. - TOWSON, MD.

FILED FOR RECORD WITH DEED
FROM MAURICE E. WILSON & WIFE
TO PHILIP E. LAMB
Feb. 21, 1941
TEST C. Willing Browne Jr.
CLERK

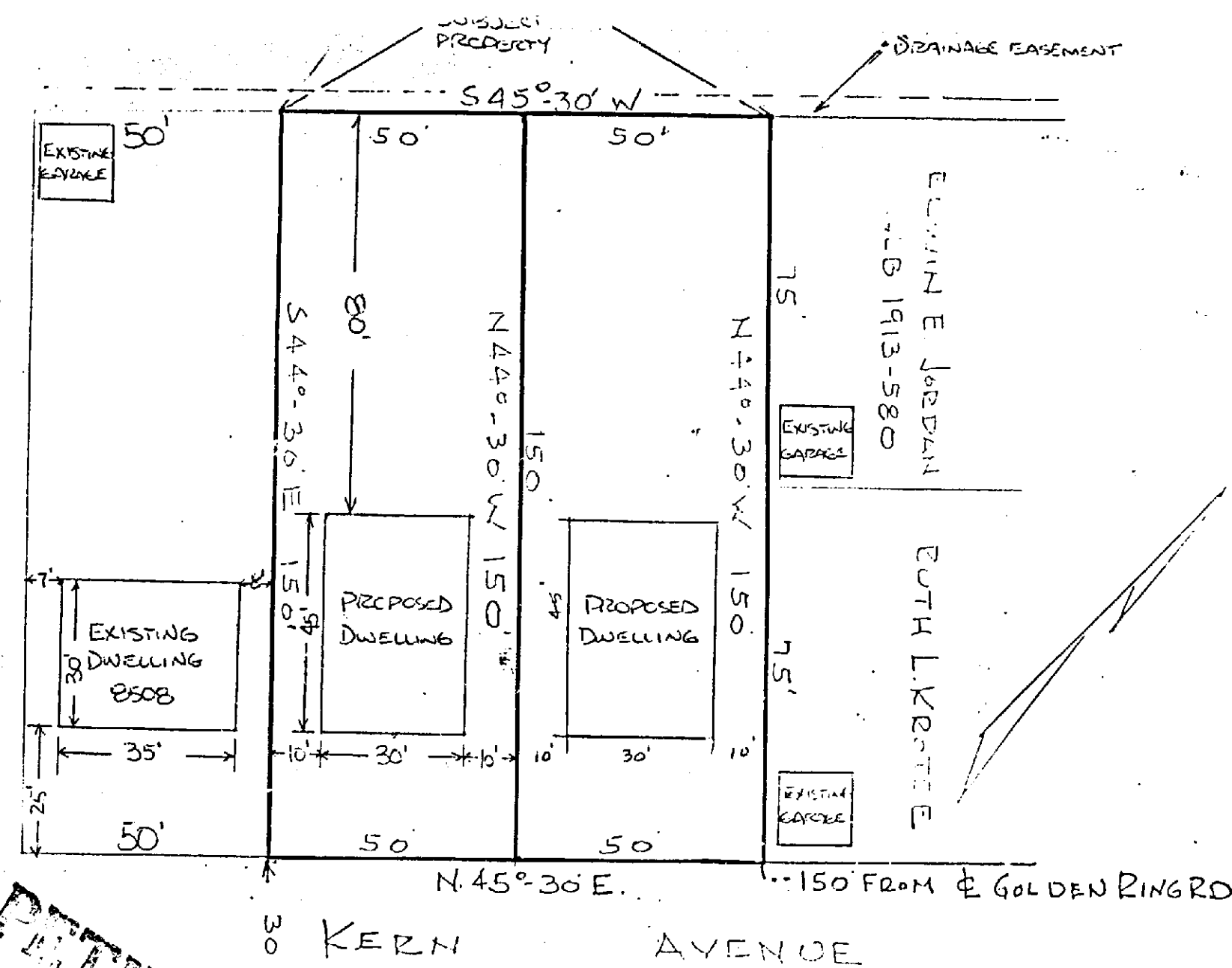
C.W.B. JR. 12-92



-2-

- It would seem that with the school yard and its entrance on the east side of Kern Ave., any new construction should have off street parking which all of the houses on Kern Ave. now have. This additional paving would also add to the run-off problem.
- The increased traffic and congestion on this narrow road directly opposite the school yard entrance, will surely expose our children to increased risk in crossing Kern Ave.
 - In summary, we feel that the 55 ft. minimum width rule is correct. The size house that can be put on these lots would not be consistent with the existing houses in the area and be degenerative to the neighborhood.

The motivation for this variance is obviously maximum profit for the seller. The parking, traffic, safety and drainage problems that can be created by over developing this property will surely create expense and hardship for the neighborhood.



478

10

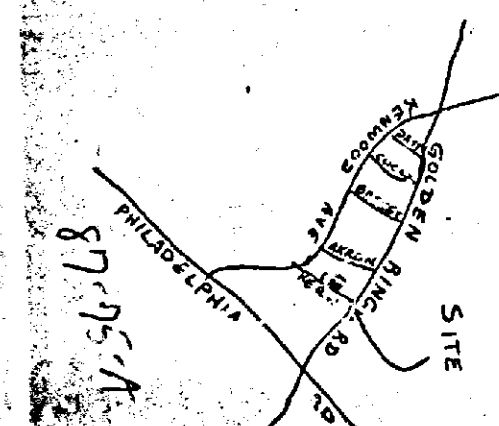
PUBLIC UTILITIES EXIST IN KERN AVENUE

14th DISTRICT - 899-391

Scale 1"=30'

PETITIONER'S
EXHIBIT

14th DISTRICT - 899-391
OWNER: RUTH L. KEEFER
LISEE LAMB No. 891 Town 391



PETITION

We concerned neighbors request that the variance in Case No. 87-75-A should be denied because it will have adverse effect on our neighboring properties.

Name: Ralph W. Shlach Address: 8505 Akron Rd
 Telephone No. 686-6664 Balto Md 21237
 Name: Sandra L. Schaefer Address: 8505 Akron Rd
 Telephone No. 686-6664 Balto Md 21237
 Name: Michael S. Bie Address: 6624 Kenwood Ave
 Telephone No. 686-5222 BALTO. MD. 21237
 Name: Cynthia A. Day Address: 6624 Kenwood Ave
 Telephone No. 686-5222 Baltimore, Md. 21237
 Name: Cynthia A. Day Address: 6617 Golden Ring Rd
 Telephone No. 686-7184
 Name: Cynthia M. Meehan Address: 6705 Golden Ring Rd
 Telephone No. 686-8068
 Name: Marie K. Davis Address: 8503 Akron Rd
 Telephone No. 686-6130
 Name: James A. Davis Address: 6617 Golden Ring Rd
 Telephone No. 686-7184
 Name: James A. Davis Address: 6705 Golden Ring Rd
 Telephone No. 391-2009
 Name: Stanley Bagdzinski Address: 8509 Akron Rd
 Telephone No. 682-2221
 Name: Wanda Bagdzinski Address: 8509 Akron Rd
 Telephone No. 682-2221

PETITION

We concerned neighbors request that the variance in Case No. 87-75-A should be denied because it will have adverse effect on our neighboring properties.

Name: Amin Parker Address: 8506 Kern Ave
 Telephone No. 686-6038 Baltimore Md 21237
 Name: Walter F. Felt Address: 6616 Kenwood Ave
 Telephone No. 686-3500 Balto 21237
 Name: Billy Felt Address: 6626 Kenwood
 Telephone No. 686-4187 Balto Md 21237
 Name: William B. Felt Address: 8504 Akron Rd
 Telephone No. 686-0940 Balto 21237 Md
 Name: Beverly Martin Address: 8504 Akron Rd
 Telephone No. 686-0940 Balto Md 21237
 Name: Edward F. Felt Address: 8506 Akron Rd
 Telephone No. 687-8058 BALTO Md 21237
 Name: Julia E. Burkhardt Address: 8506 Akron Rd
 Telephone No. 687-8058 Balto Md 21237
 Name: Bernard W. Burkhardt Address: 6620 Kenwood Ave
 Telephone No. 686-4284
 Name: James Burkhardt Address: 6620 Kenwood Ave
 Telephone No. 686-4284 Balto Md 21237
 Name: James H. Mass Address: 8509 Akron Rd
 Telephone No. 686-4481 BALTO, Md 21237
 Name: Richard J. Mass Address: 8503 Bassett Rd
 Telephone No. 391-9706 Balto Md 21237

PETITION

We concerned neighbors request that the variance in Case No. 87-75-A should be denied because it will have adverse effect on our neighboring properties.

Name: Janice A. Jones Address: 6705 Golden Ring Rd
 Telephone No. 686-6815 Baltimore, Md. 21237
 Name: Gregory F. Lenz Address: 6705 Golden Ring Rd
 Telephone No. 686-6815 Baltimore, Md 21237
 Name: William J. Lenz Address: 6705 Golden Ring Rd
 Telephone No. 686-6815 Balto, Md 21237
 Name: _____ Address: _____
 Telephone No. _____
 Name: _____ Address: _____
 Telephone No. _____
 Name: _____ Address: _____
 Telephone No. _____
 Name: _____ Address: _____
 Telephone No. _____
 Name: _____ Address: _____
 Telephone No. _____
 Name: _____ Address: _____
 Telephone No. _____

PETITION

We concerned neighbors request that the variance in Case No. 87-75-A should be denied because it will have adverse effect on our neighboring properties.

Name: Emma P. Pappas Address: 6619 Kenwood Ave
 Telephone No. 391-6593 BALTO, Md 21237
 Name: John Pappas Address: 6619 Kenwood Ave
 Telephone No. 391-6593 Balto Md 21237
 Name: Paul David Pappas Address: 6619 Kenwood Ave
 Telephone No. 391-6593 BALTO, MD. 21237
 Name: Richard J. Pappas Address: 6619 Kenwood Ave
 Telephone No. 391-6593 BALTO, MD. 21237
 Name: Roseanne A. Pappas Address: Same
 Telephone No. 391-8559 AKRON
 Name: James A. Pappas Address: 8509 Akron Rd
 Telephone No. 686-9489 Balto Md 21237
 Name: Maryann Pappas Address: 1321 Perring Ave
 Telephone No. 391-3210 BALTO MD 21237
 Name: Melissa E. Becker Address: 8509 Bassett Rd
 Telephone No. 686-9489 Balto Md 21237
 Name: William L. Becker Address: 8509 Bassett Rd
 Telephone No. 686-9489 Balto Md 21237
 Name: Charles A. Becker Address: 8501 Bassett Rd
 Telephone No. 687-7004 BALTO, Md 21237
 Name: _____ Address: 6630 Kenwood Ave
 Telephone No. _____ Balto Md.

Julia Burkhardt Ralph W. Shlach
8506 Akron Rd 8505 Akron Rd
Balto 21237 Balto 21237

James Burkhardt
6620 Kenwood Ave
Balto 21237

Marie K. Davis
8503 Akron Rd
Balto Md 21237

Mrs. Boris Kahler
6630 Kenwood Ave 21237

Mrs. Amin Parker
8506 Kern Avenue
Baltimore, Md 21237

Mr. Michael S. Bie
6624 Kenwood Ave
Balto, Md 21237

Mr. William Felt
8504 Akron Rd
Balto 21237, Md

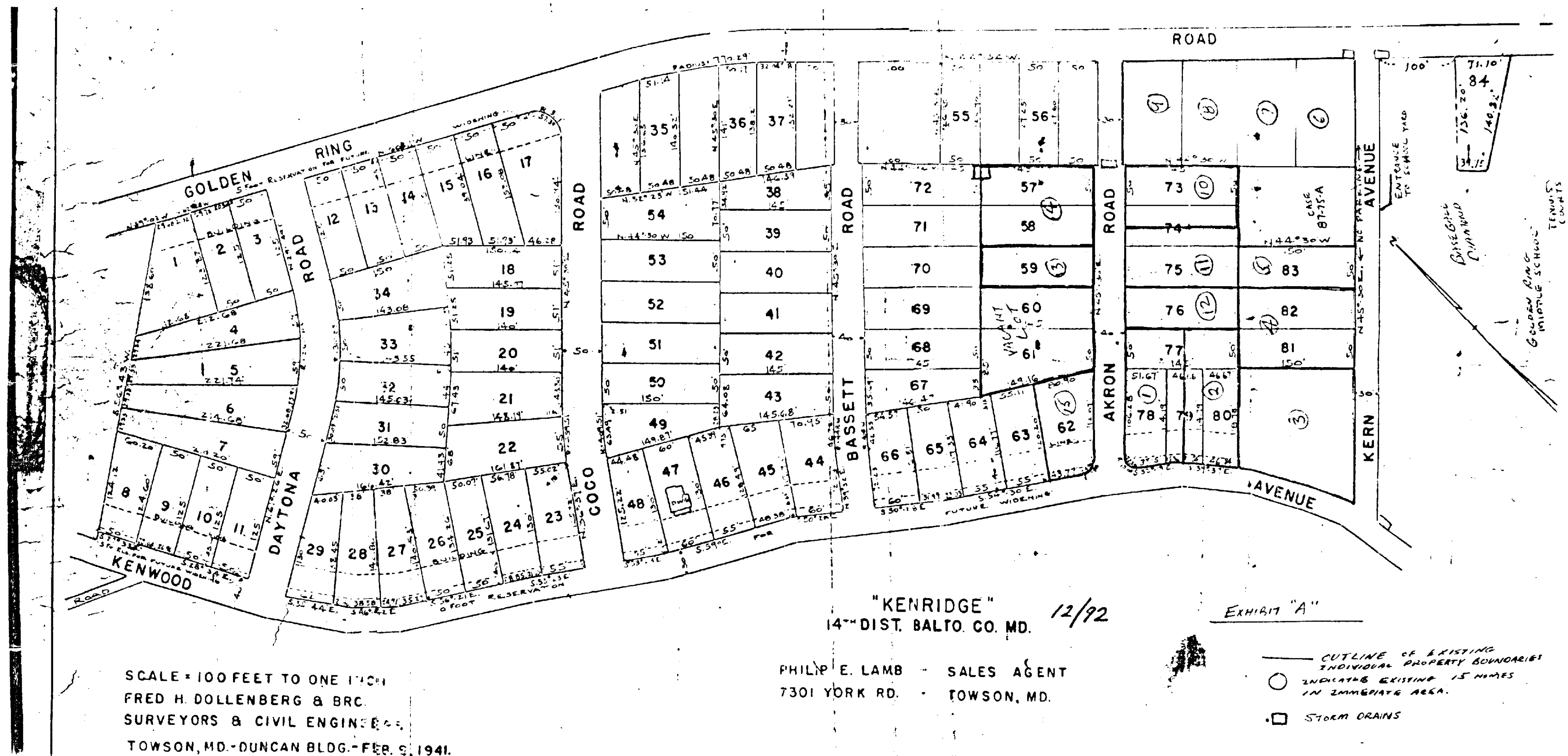
Sandra Schaefer
8505 Akron Rd
Balto Md 21237

Wanda Bagdzinski
8509 Akron Rd
Balto, Md 21237

Stanley Bagdzinski
8509 Akron Rd
Balto Md 21237

(Please turn over)

John F. Vachon 6617 Golden Ring Rd.
 Robert W. Jones 6705 Golden Ring Rd.
 Percin M. Vachon 6701 Golden Ring Rd.
 Frances Vachon 6617 Golden Ring Rd.
 Janice A. Jones 6705 Golden Ring Rd.



PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1. to permit lot widths of 50 feet in lieu of the required 55 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. SPACE LIMITATIONS-100' PARCEL IS NOT ENEOUGH FOR TWO 55' LOTS
2. CONFORMITY WITH EXISTING LOTS IN COMMUNITY
3. NEED TO ESTABLISH TWO LOTS AS OPPOSED TO ONE FOR OBVIOUS COST REASONS
4. INTENTIONS OF ESTABLISHING ONE BUILDING LOT FOR EACH OF MY TWO PROPERTIES

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: JAMES F. QUINN, NORMAN J. QUINN
(Type or Print Name)
Signature: James F. Quinn
Address: 8508 KERN AVENUE
City and State: RO-EDALE MARYLAND 21237
Attorney for Petitioner: Josephine K. Fox
(Type or Print Name)
Signature: Josephine K. Fox
Address: Lillian A. Jordan
City and State: Lillian A. Jordan
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: JAMES F. QUINN
Address: 8508 KERN AVE Phone No. 574-1349

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of July, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 8th day of September, 1986, at 9:45 o'clock

Cell Jahn
Zoning Commissioner of Baltimore County.

(over)

DESCRIPTION FOR VARIANCE

Property of Ruth L. Krotee
14th Election District

Beginning at a point on the northwest side of Kern Avenue (30 feet wide) at a distance of 150 feet southwest of the centerline of Golden Ring Road and thence running North 44° 30' West, 150 feet, thence South 45° 30' West, 100 feet, thence South 44° 30' East, 150 feet to the northwest side of Kern Avenue, thence binding on the northwest side of Kern Avenue North 45° 30' East, 100 feet to the point of beginning.

The Protestants argued that most homes in the vicinity were constructed on lots which had been combined into 75-foot widths.

The Petitioner seeks relief from Section 1802.3.C.1, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

After due consideration of the testimony and evidence presented, it appears that there would be no practical difficulty or unreasonable hardship resulting to the Petitioner if the variances were denied.

There is no question that the subdivision was recorded prior to the implementation of zoning in Baltimore County. Upon adoption of the 1955 zoning regulations, the 55-foot building lot width was required, but it is obvious that homes in this subdivision were constructed on lots containing less than 55 feet prior to 1955. There was no testimony that any were constructed after that time. The picture is clouded by the frequent combination and division of lots into 75-foot widths. It is clear that the subject lots are owned by the same individual, that they have been for many years, and that it is proposed that each be sold as individual building lots.

The zoning regulations, however, permit a variance, pursuant to certain conditions as delineated in Section 307. To permit a variance to the "area" requirements of Section 1802.3.C.1, the variance must be judged under the "practical difficulty" or "unreasonable hardship" test, i.e., by looking at such factors as the nature of the zone in which the property lies and the character of the immediate vicinity and the uses contained therein, whether removal of the restriction placed upon the petitioner's property would seriously affect such neighboring properties and uses, or whether the restriction would create a practical difficulty or unreasonable hardship for the owner if it were not removed in relation to his efforts to make normal

- 2 -

improvements in the character of that use of the property, which is a permitted use under the use provisions of the regulation.

A landowner can establish a right to a variance by showing that the effect of the regulation is to burden his property with an unreasonable hardship that is unique to his property. This can be accomplished by showing that the physical or topographical features of the property are such that the property cannot be used for a permitted purpose or by showing that the property can be arranged for such use only at a prohibitive expense. Anderson v. Bd. of Appeals of Town of Chesapeake Beach, 22 Md. App. 28 (1974); Marlowe v. Zoning Hearing Bd. Haverford Township, 415 A.2d 946 (Pa. Cmwlth., 1980).

The Court of Special Appeals has held that a variance relating to certain "area" restrictions, as distinguished from restrictions on the use of the property, must be judged under the "practical difficulty" test. Anderson, supra. See Bd. of Adjustment, Etc. v. Kwik-Check Realty, 389 A.2d 1289 (Del. Supr., 1978). As noted in Anderson, the factors to be considered under this test in determining whether a variance should be granted are:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in district or whether a lesser relaxation than that applied for would give substantial relief;
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured,

Anderson, supra.

Notwithstanding the testimony presented, there is insufficient evidence to allow a finding that the hardship or difficulty experienced, or to be experienced, by the Petitioner was caused, will be caused, or will be created

- 3 -

by the zoning regulation from which it seeks relief by the instant zoning application. Therefore, the variances requested must be denied.

Although the Petitioner has shown the uses of adjacent and surrounding land similar to the requested use, the Petitioner has failed to show that without the requested variances, the property would be rendered practically valueless. Mere evidence that the zoned use is less financially rewarding than the proposed use is insufficient to justify a variance. Pyzdrowski v. Pittsburg Bd. of Adjustment, 263 A.2d 426 (Pa., 1970).

"Administrative relief is not warranted where the owner of contiguous substandard lots can solve his own problem by combining them to meet the minimum requirements of the zoning regulations. In such a case, his development plans may have to be revised, and he may not be able to extract the maximum profit from his tract, but he has not been denied reasonable use of his land."

3 Anderson, supra, Section 18.54, at 291. See Sibley v. Inhabitants of Town of Wells, 462 A.2d 27 (Me., 1983).

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of September, 1986, that the Petition for Zoning Variances to permit lot widths of 50 feet in lieu of the required 55 feet be and is hereby DENIED.

Cell Jahn
Zoning Commissioner of Baltimore County

- 4 -

PETITION FOR ZONING VARIANCE

14th Election District

Case No. 87-75-A

LOCATION: Northwest Side of Kern Avenue, 150 feet Southwest of the Centerline of Golden Ring Road

DATE AND TIME: Monday, September 8, 1986, at 9:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit lot widths of 50 feet in lieu of the required 55 feet

Being the property of Ruth L. Krotee, et al, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
21st day of July, 1986.

ARNOLD JABLON
Zoning Commissioner

Petitioner's Attorney: Ruth L. Krotee, et al.
Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

RE: PETITION FOR VARIANCE
NW/4 of Kern Ave., 150'
SW of C/L of Golden
Ring Rd., 14th District
Ruth L. Krotee, et al.,
Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the
above-captioned matter. Notices should be sent of any hearing dates or
other proceedings in this matter and of the passage of any preliminary
or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 8th day of August, 1986, a copy
of the foregoing Entry of Appearance was mailed to Josephine K. Fox,
Lillian A. Jordan & Henry G. Krotee, Jr., Guardians for Ruth E. Krotee,
Petitioner, c/o Mr. & Mrs. James F. Quinn, 8508 Kern Avenue, Rosedale, MD
21237, Contract Purchasers.

Peter Max Zimmerman
Peter Max Zimmerman

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14th
Posted for: Variance
Petitioner: Ruth L. Krotee, et al.
Location of property: NW/4 Kern Ave., 150' SW of Golden Ring Rd.
Location of Signs: Facing Kern Ave., corner 15' E. of 100' W. 223
Remarks: Sign posted at corner of Kern Ave. 100' W. 223
Posted by: [Signature]
Number of Signs: 1

TELEPHONE
(410) 852-4222

JEFFREY N. PRITZKER
ATTORNEY AT LAW

MARGOLIS PRITZKER
& EPSTEIN, P.A.
405 EAST JUPITER BLVD.
TOWSON, MARYLAND 21204



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

September 3, 1986

Mr. James F. Quinn
Mrs. Norma Jean Quinn
8508 Kern Avenue
Rosedale, Maryland 21237

RE: PETITION FOR ZONING VARIANCE
NW/4 of Kern Ave., 150' SW of the c/l of
Golden Ring Rd.
Ruth L. Krotee, et al - Petitioners
14th Election District
Case No. 87-75-A

Dear Mr. and Mrs. Quinn:

This is to advise you that \$58.65 is due for advertising
and posting of the above property. This fee must be paid before an
Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON
THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by
this office until the day of the hearing itself.

Please make this check payable to Baltimore County, Maryland, and remit
to the County, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 9/3/86 ACCOUNT: 21237

AMOUNT: \$58.65

PAID TO: BALTIMORE COUNTY

FOR: PETITION FOR ZONING VARIANCE

VALIDATION OR SIGNATURE OF CASHIER

The Times

Middle River, Md., Aug 21 1986

This is to Certify, That the annexed

Petition for Zoning Variance

was inserted in the Times, a newspaper printed

and published in Baltimore County, once in each

of one successive

weeks before the 21st day of

August, 1986

Joe Brown Publisher

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 21, 1986

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
August 21, 1986

THE JEFFERSONIAN,

Susan Schissler
Publisher
Cost of Advertising

22-00

Mr. James F. Quinn
Mrs. Norma Jean Quinn
8508 Kern Avenue
Rosedale, Maryland 21237

July 25, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NW/4 of Kern Ave., 150' SW of the c/l of
Golden Ring Rd.
Ruth L. Krotee, et al - Petitioners
14th Election District
Case No. 87-75-A

TIME: 9:45 a.m.

DATE: Monday, September 8, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

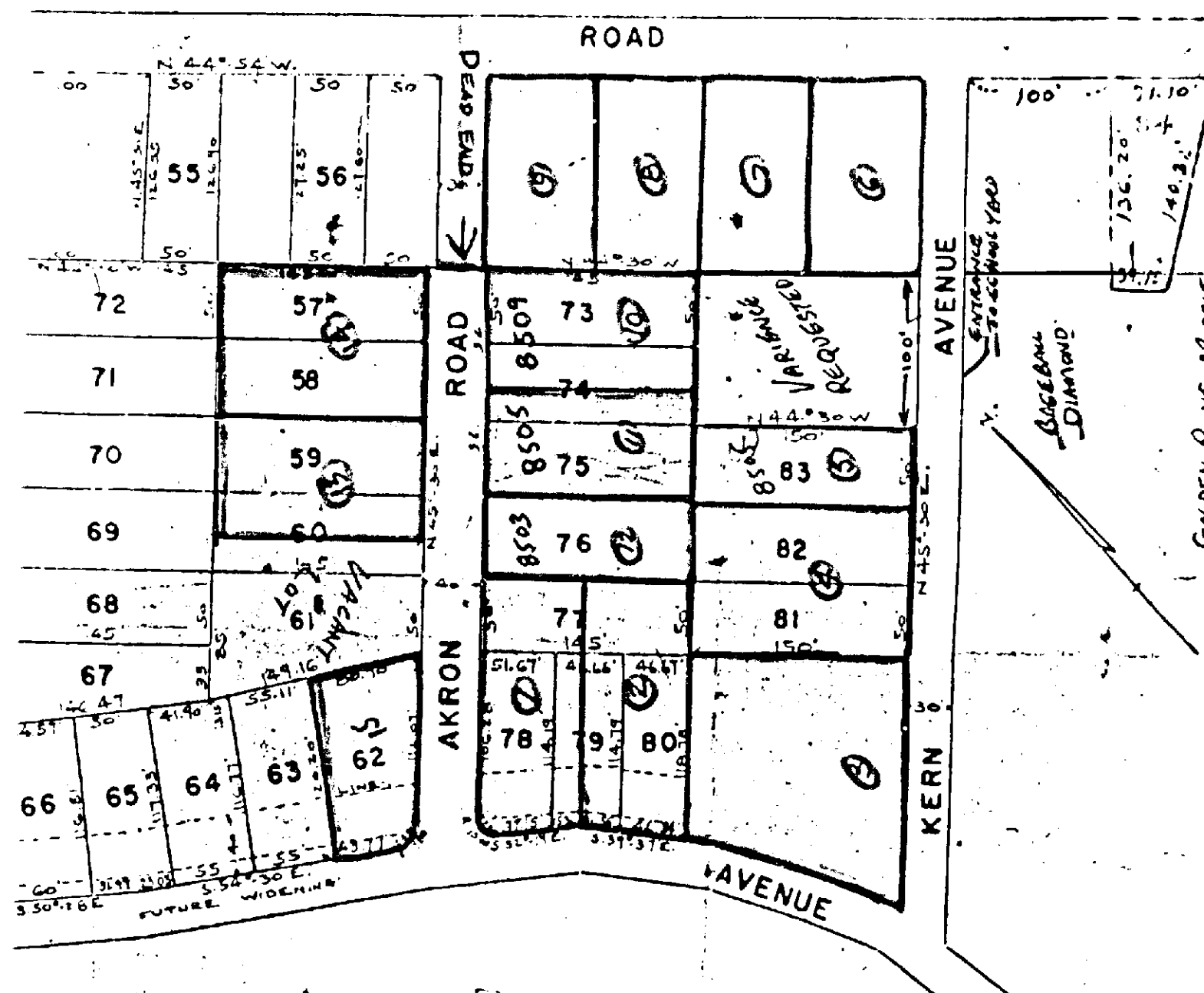
DATE: 9/3/86 ACCOUNT: 21237

AMOUNT: \$58.65

PAID TO: BALTIMORE COUNTY

FOR: PETITION FOR ZONING VARIANCE

VALIDATION OR SIGNATURE OF CASHIER



KENRIDGE"
ST. BALTO. CO. MD.

MB - SALES AGENT
D. TOWSON, MD.

EXHIBIT A

EACH DOT WITH A
NUMBER REPRESENTS
ONE HOUSE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: August 21, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 87-74-A, 87-75-A, 87-76-A, 87-77-A, 87-81-A,
87-82-A, 87-83-A, 87-84-A, 87-87-A, 87-88-A,
87-106-A, 87-107-A, 87-108-A, 87-111-A, 87-112-A,
87-113-A and 87-114-A

There are no comprehensive planning factors requiring comment on
these petitions.

Norman E. Gerber, AICP
Norman E. Gerber, AICP
Director

NEG:JGH:slm

CPS-008

RECEIVED

August 22, 1986 AUG 22 1986

Ralph W. Schissler
8505 Akron Road
Baltimore, Maryland 21137

Arnold Jablon
Zoning Commissioner
Room 1115, County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

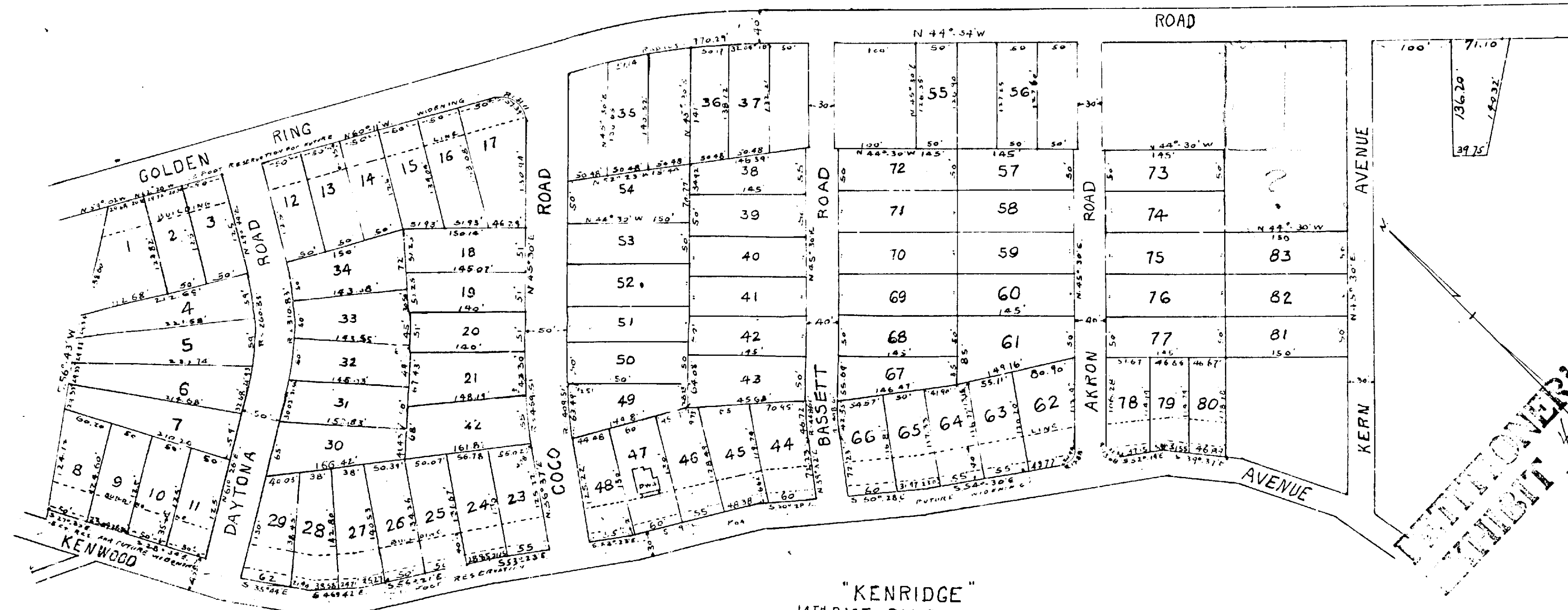
Ref: Case No. 87-75-A

Dear Commissioner:

Please give your immediate attention to Case No.
87-75-A. As concerned neighbors we feel the requested
variance will have an adverse effect on the neighborhood,
and have elaborated in the enclosed petition and diagram.
We would welcome you to visit the site if at all possible
as our objections are basic and obvious. Please help us
protect our homes by denying this variance.

Very truly yours,
Ralph W. Schissler
Ralph W. Schissler

PWS:ss
Enclosures

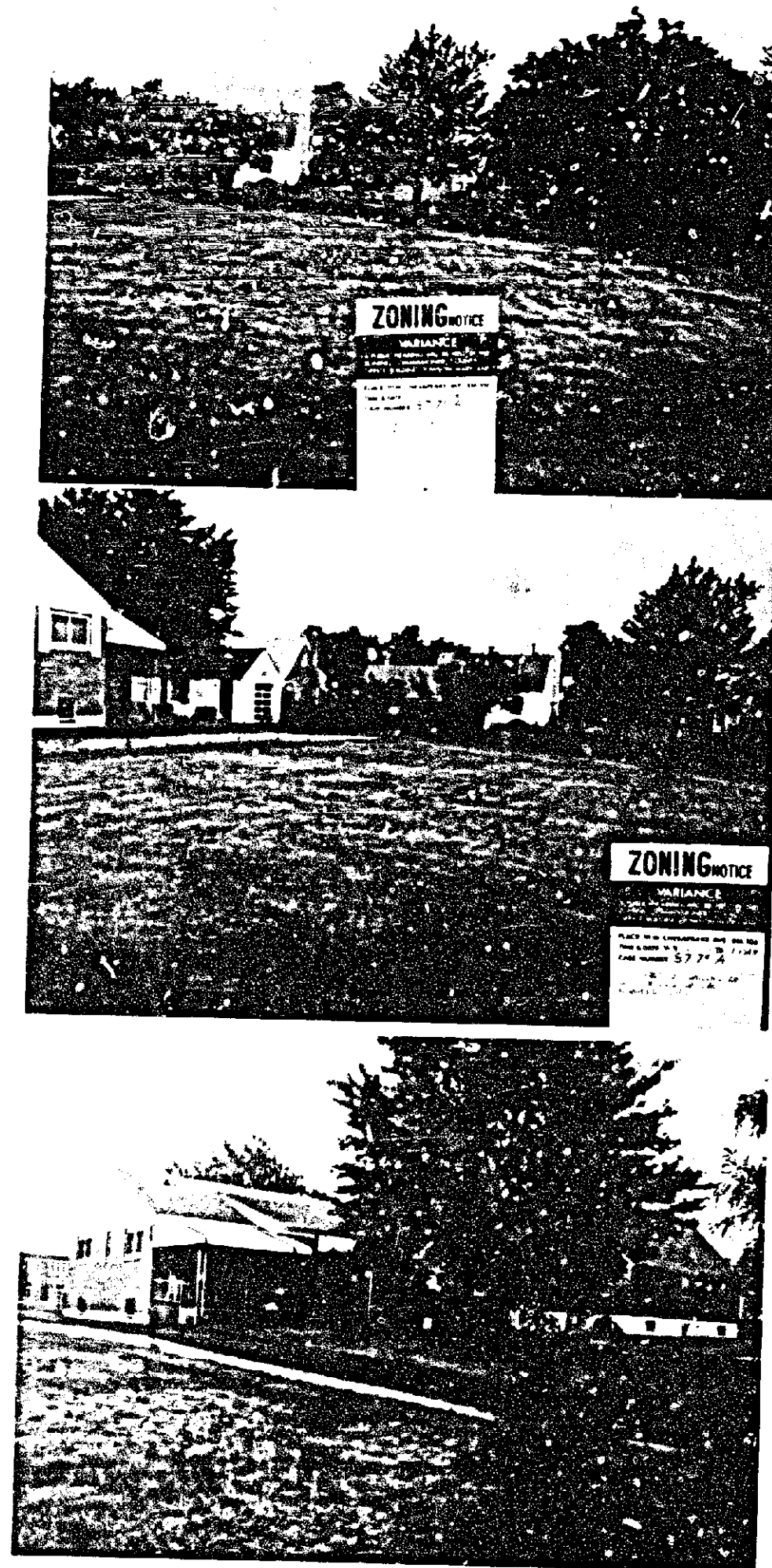


SCALE: 100 FEET TO ONE INCH
FRED H. DOLLENBERG & BRO.
SURVEYORS & CIVIL ENGINEERS
TOWSON, MD.-DUNCAN BLDG.-FEB. 8, 1941

PHILIP E. LAMB - SALES AGENT
7301 YORK RD. - TOWSON, MD.

FILED FOR RECORD WITH DEED
FROM MAURICE E. WILSON & WIFE
TO PHILIP E. LAMB
Feb. 21, 1941
TEST C. Willing Browne Jr.
CLERK

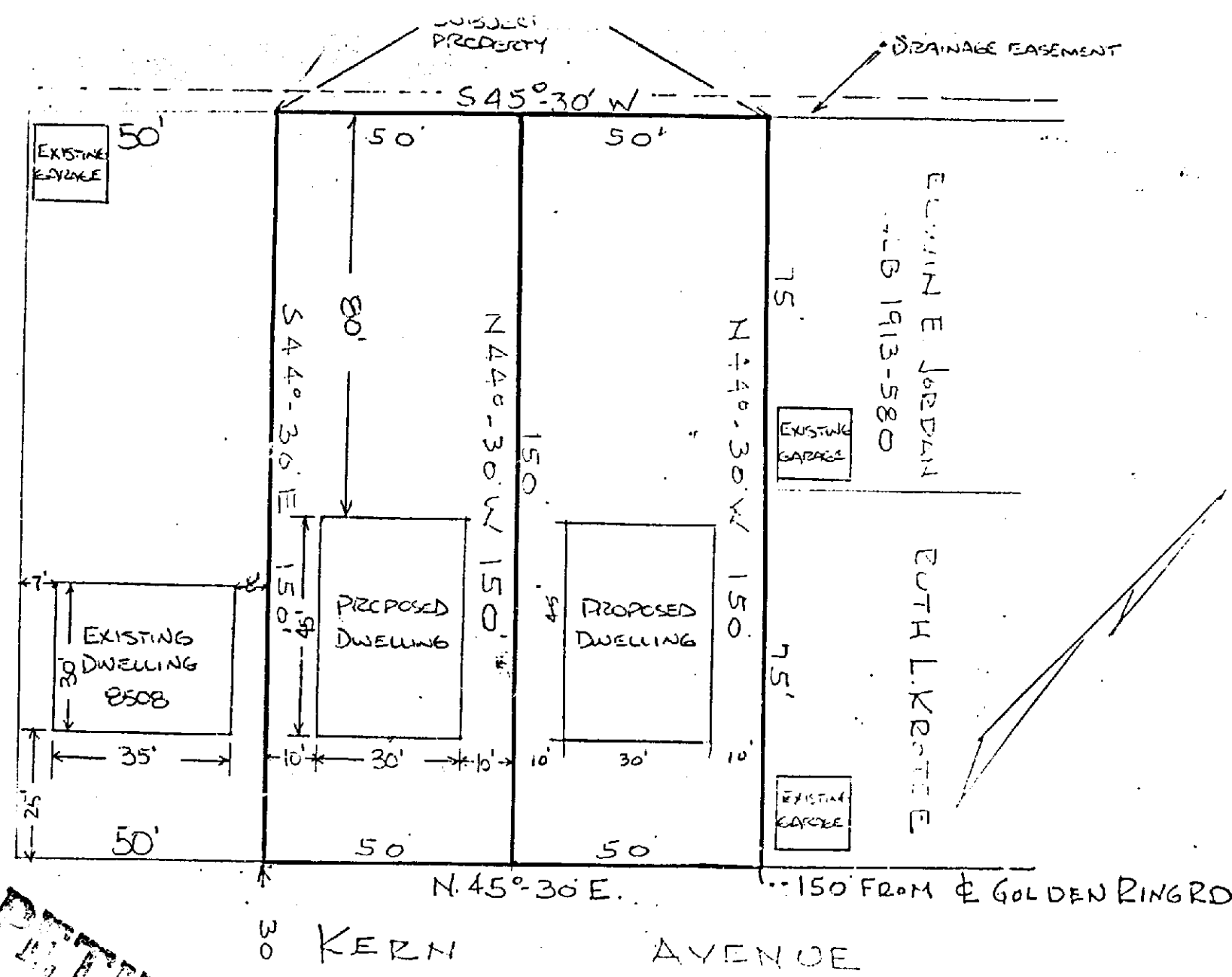
C.W.B. JR. 12-92



-2-

- It would seem that with the school yard and its entrance on the east side of Kern Ave., any new construction should have off street parking which all of the houses on Kern Ave. now have. This additional paving would also add to the run-off problem.
- The increased traffic and congestion on this narrow road directly opposite the school yard entrance, will surely expose our children to increased risk in crossing Kern Ave.
 - In summary, we feel that the 55 ft. minimum width rule is correct. The size house that can be put on these lots would not be consistent with the existing houses in the area and be degenerative to the neighborhood.

The motivation for this variance is obviously maximum profit for the seller. The parking, traffic, safety and drainage problems that can be created by over developing this property will surely create expense and hardship for the neighborhood.



478

10

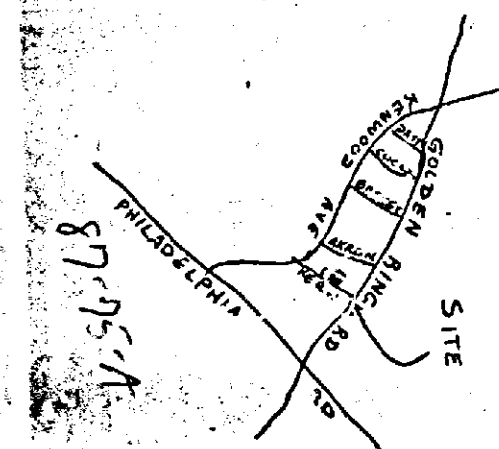
PUBLIC UTILITIES EXIST IN KERN AVENUE

14th DIST. BALTO. CO. MD. 899-391

Scale 1"=30'

PETITIONER'S
EXHIBIT 1

14th DIST. BALTO. CO. MD. 899-391
OWNER: RUTH L. KEEFER
LISEE LAMIN No. 891 Fono 391



W^e concerned neighbors request that the variance in Case No. 87-75-A should be denied because it will have adverse effect on our neighboring properties.

Name: <u>Ralph W. Smith</u>	Address: <u>8505 Akron Rd</u>
Telephone No. <u>686-6664</u>	<u>Balto Md 21237</u>
Name: <u>Sandra L. Schindler</u>	Address: <u>8505 Akron Rd</u>
Telephone No. <u>686-6664</u>	<u>Balto Md 21237</u>
Name: <u>Michael J. Rye</u>	Address: <u>6624 Kenwood Ave.</u>
Telephone No. <u>686-5222</u>	<u>BALTO. MD. 21237</u>
Name: <u>Cynthia A. Bay</u>	Address: <u>6624 Kenwood Ave</u>
Telephone No. <u>686-5222</u>	<u>Baltimore, Md 21237</u>
Name: <u>Carol Pacheco</u>	Address: <u>6617 Golden Ring Rd,</u>
Telephone No. <u>686-7184</u>	
Name: <u>Christina M. Mccue</u>	Address: <u>6617 Golden Ring Rd. 21237</u>
Telephone No. <u>686-8068</u>	
Name: <u>Maria A. Berra</u>	Address: <u>8503 Akron Rd 21237</u>
Telephone No. <u>686-6130</u>	
Name: <u>James J. Berra</u>	Address: <u>6617 Golden Ring Rd</u>
Telephone No. <u>686-7184</u>	
Name: <u>Angela Austin</u>	Address: <u>6701 Golia King Rd 21237</u>
Telephone No. <u>391-2009</u>	
Name: <u>Stanley Pazgurski</u>	Address: <u>8509 Akron Rd 21237</u>
Telephone No. <u>682-2221</u>	
Name: <u>Wanda Pazgurski</u>	Address: <u>8509 Akron Rd</u>
Telephone No. <u>682-2221</u>	<u>Balto Md 21237</u>

We concerned neighbors request that the variance in Case No. 87-75-A should be denied because it will have adverse effect on our neighboring properties.

Name: <u>Armin Parker</u>	Address: <u>8506 Kew Ave.</u>
Telephone No. <u>686-6038</u>	<u>Baltimore Md 21237</u>
Name: <u>Walter Tadin</u>	Address: <u>6626 Kenwood</u>
Telephone No. <u>686-3500</u>	<u>Balto 21237</u>
Name: <u>Sally Tallin</u>	Address: <u>6626 Kenwood</u>
Telephone No. <u>686-4187</u>	<u>Balto Md. 21237</u>
Name: <u>William B. Thayer</u>	Address: <u>8504 Akron Rd</u>
Telephone No. <u>686-8940</u>	<u>Balto 21237 Md.</u>
Name: <u>Beverly Martin</u>	Address: <u>8504 Akron Rd.</u>
Telephone No. <u>686-0940</u>	<u>Balto Md. 21237</u>
Name: <u>Edward F. Butler</u>	Address: <u>8506 Akron Rd</u>
Telephone No. <u>687-8058</u>	<u>BALTO Md 21237</u>
Name: <u>Julia E. Burkhardt</u>	Address: <u>8506 Akron Rd</u>
Telephone No. <u>687 8058</u>	<u>Balto Md 21237</u>
Name: <u>Bernhardt H. Buckner</u>	Address: <u>6626 Kenwood Ave</u>
Telephone No. <u>686-4284</u>	<u>Balto</u>
Name: <u>James Buchanan</u>	Address: <u>6626 Kenwood Ave.</u>
Telephone No. <u>686-4284</u>	<u>Balto Md 21237</u>
Name: <u>Joyce H. Maas</u>	Address: <u>8509 Cedar Rd.</u>
Telephone No. <u>686-4481</u>	<u>BALTO, Md 21237</u>
Name: <u>Richard G. Maas</u>	Address: <u>8508 Barrett Rd.</u>
Telephone No. <u>391-9706</u>	<u>Balto Md. 21237</u>

We concerned neighbors request that the variance in Case No. 87-75-A should be denied because it will have adverse effect on our neighboring properties.

[illegible]

We concerned neighbors request that the variance in Case No. 87-75-A should be denied because it will have adverse effect on our neighboring properties.

Name: <u>Esma Phillips</u>	Address: <u>6619 Kenwood Ave</u>
Telephone No. <u>391-6593</u>	<u>BALTO. MD. 21237</u>
Name: <u>Ed. Phipps</u>	Address: <u>6619 Kenwood Ave.</u>
Telephone No. <u>391-6593</u>	<u>Balt. MD. 21237</u>
Name: <u>Fred David Lawrence</u>	Address: <u>6619 Kenwood Ave</u>
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